

REMARKS

Applicants' attorney thanks the Examiner for her comments. Independent Claims 1, 15 and 32 have been amended to delete "agglutinizing agents" and "lysing agents" from the Markush group. Claims 1 and 32 have been amended to indicate that the absorbent article is a "personal care" absorbent article including "a fluid pervious cover sheet, a fluid pervious backsheet, and an absorbent core between them." This is supported on page 18, lines 9-11. Claim 15 has been amended to replace "proteinaceous viscoelastic fluid" with "menses", to require that the absorbent article is a tampon, and to replace "polymeric" fibers with "polyolefin or pulp" fibers. This is supported on page 11, line 5; page 31, lines 8-16; page 15, lines 19-21; and page 16, lines 11-14. Various dependent claims have been amended or deleted for consistency with the independent claims.

The Examiner rejected Claims 1, 2, 12, 15, 21, 23, 32, 36 and 37 under 35 U.S.C. §102(e) as anticipated by U.S. Patent 6,350,711 (Potts et al.). This rejection is respectfully traversed. As the Examiner indicated, Potts et al. discloses a treatment chemistry which can be an agglutinizing agent or a lysing agent. However, Potts et al. does not disclose the treatment chemistries recited in amended Claims 1, 15, and 32. Claims 2, 12, 21, 23, 32, 36 and 37 depend from Claim 1, 15 or 32, and are patentable for at least the same reasons.

The Examiner rejected Claims 1-3, 5-6, 8-10, 14-16, 18-19, 21-23, 32, 36-37 and 41 under 35 U.S.C. §102(b) as anticipated by U.S. Patent 5,728,081 (Baer et al.). This rejection is respectfully traversed. As the Examiner indicated, Baer et al. discloses a treatment chemistry which can be a lysing agent. However, Baer et al. does not disclose or suggest the treatment chemistries recited in amended Claims 1, 15 and 32. Claims 2-3, 5-6, 8-10, 14, 16, 18-19, 21-23, 36-37 and 41 depend from Claim 1, 15 or 32, and are patentable for at least the same reasons.

The Examiner rejected Claims 1-6, 11-12, 15-21, 24-26, 32-34, 36, 38-41 and 44 under 35 U.S.C. §103(a) as obvious over U.S. Patent 5,658,582 (Dorigatti et al.). This rejection is respectfully traversed.

Regarding Claims 1 and 32, Dorigatti et al. does not disclose or suggest a personal care absorbent article including a fluid pervious polyolefin cover sheet, a fluid impervious backsheet, and an absorbent core between them. Dorigatti et al. also does not

disclose a method for treating a viscoelastic proteinaceous fluid, whereby management of the fluid by a personal care absorbent article is improved. Personal care absorbent articles are designed to be worn for several hours before changing, and may receive large amounts of fluid during that time. The fluid is stored in the absorbent core layer and away from the wearers' skin. The fluid pervious polyolefin cover layer provides a spacing which separates the wearers' skin from the absorbent core layer and the fluid, thereby protecting the skin from irritation and rash.

Because the personal care absorbent article is worn for several hours, and may absorb considerable fluid, there is a need for technology that prevents leakage of the fluid from the sides, or upward through the cover layer. The treatment chemistry used in the invention addresses this concern by crosslinking, thickening or otherwise binding the fluid to prevent its migration. The treatment chemistry may be present in any of the layers of the absorbent article, so long as it comes into contact with the fluid traveling to the absorbent core, and/or in the core.

Dorigatti et al. is directed to a medical article, such as a cover useful in surgery (Col. 4 lines 15-26). Instead of a polyolefin cover sheet, Dorigatti et al. emphasizes the use of a cover layer formed of esters of hyaluronic acid (Col. 2 lines 58-62). The cover layer may be mixed with cellulose fibers and other substances and, therefore, may be absorbent (Col. 2 line 58 – Col. 3 line 13). Because the medical article is not worn for very long, there is no polyolefin cover layer which separates the absorbent material from the wearers' skin. Because the medical article is frequently changed, there is apparently no absorbent core layer below the skin contact layer, and no apparent need to store large volumes of fluid in a manner which prevents the fluid from contacting the wearers' skin. Accordingly, Dorigatti et al. does not render obvious a personal care absorbent article or a corresponding method of use, as recited in Claims 1 and 32.

Regarding Claim 15, Dorigatti et al. does not disclose or suggest a method of treating menses as claimed. Claim 15 requires a method step of forming a tampon. Dorigatti et al. does not suggest such a step. Claims 2-6, 11-12, 16-21, 24-26, 33-34, 36, 38-41 and 44 depend from Claim 1, 15 or 32, and are patentable for at least the same reasons.

Applicants believe that the Claims, as now presented, are in condition for allowance. If the Examiner feels that any issues remain unresolved, then Applicants' attorney respectfully requests an opportunity to resolve them in a telephone interview.

Respectfully submitted,



Maxwell J. Petersen
Registration No. 32,772

Pauley Petersen & Erickson
2800 West Higgins Road
Suite 365
Hoffman Estates, Illinois 60195
TEL (847) 490-1400
FAX (847) 490-1403